IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MS JUSTICE G.ROHINI**

**WRIT PETITION NO : 7490 of 2005**

Between:

1 Sri. B. Chadrasekhar Rao, S/o. B.Vasudeva Rao
6-174, Near Bus Stand, Prashanti Nilayam,
Puttaparthi, Anantapur District.
2 Smt. J.Babiamma, W/o. Sri. J.Venkataramanappa,
6-158, Chitravati Road, Puttaparthi, Anantapur District.
3 Smt. Papamma, W/o. Late Sri Sannayappa,
6-156, Chitravti Road, Puttaparthi, Anantapur District.

**..... PETITIONERS**

AND

1 Gram Panchayat, rep. by its Secretary, Enumulapalli,
Puttaparthi Mandal, Anantapur District.
2 The District Panchayat Officer, Anatapur District, Anantapur.
3 Satya Sai Urban Development Authority, rep. by its Vice
Chairman, Enummulapalli, Puttaparti Mandal,
Anantapur District.
4 The Station House Officer, Puttaparthi Urban Police Station,
Puttaparthi, Anantapur District.
5 Smt. Shaik Haseena Bano, W/o. Sri Subhan,
6-157, Chitravthi Road, Prashanthi Nilayam, Puttapati,
Anantapur District.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to pass an Order, Direction of Writ more particularly one in the nature of Writ of Mandamus i) declaring the inaction on part of the respondents No.1 to 4 in not taking action against the illegal work of demolition and construction by the respondent No.5 as illegal, arbitrary high handed, unconstitutional. ii) Further declaring that the acts of the respondents No.5 of demolishing the existing structures and constructing a commercial complex with cellar without any lawful permit and sanction as unlawful,

illegal, etc. on the property bearing municipal No.6-157, Chitravathi Road, Prashathi Nilayam, Puttaparti Anatapur District. iii) Consequently direct the respondents No.1 to 4 take immediate action in regard to the illegal activities of the respondents No.5 and her husband in the interest of justice.

**Counsel for the Petitioners:MR.SHYAM S.AGRAWAL**

**Counsel for the Respondent Nos.1 and 2: GP FOR PANCHAYAT RAJ & RURAL DEV.**

**Counsel for the Respondent No.4 : G.P. for Home**

**Counsel for the Respondent Nos.3 and 5 : None appeared.**

**The Court, at the stage of admission, made the following :**

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**ORDER:**

This writ petition is filed aggrieved by the alleged inaction on the part of the respondents 1 to 4 in taking necessary steps on the basis of the representation of the petitioners dated 01.04.2005 complaining about certain illegal and unauthorized constructions being made by the fifth respondent in the premises bearing Door No.6-157, Chitravati Road, Puttaparthi, Anantapur District.

Petitioners allege that the fifth respondent who is the owner of premises bearing NO.6-157 which is adjacent to the houses of the petitioners started demolishing the structures in her premises during the course of which the petitioners' properties were damaged. In spite of the protests raised by the petitioners, the 5th respondent and her husband continued the activity. It is alleged that the 5th respondent has not obtained any permission from any statutory body either for demolition of existing structure for raising new structure. Hence, they made several representations to the respondents 1 to 4 complaining about the unauthorized and illegal constructions being made by the fifth respondent. However, the respondents 1 to 4 failed to respond and failed to take any action on the basis of their representations. The last representation made by them was dated 1-4-2005, and the same was received in the office of the respondents on 2-4-2005. Hence, this writ petition.

Since the representations made by the petitioners are pending before the competent authorities, without expressing any opinion as to the correctness of the allegations made by the petitioners, the writ petition is disposed of with a direction to the respondents 1 to 4 to consider the complaint of the petitioners in their representation dated 01.04.2005 and to take necessary action in accordance with law, after affording due opportunity to the fifth respondent to rebut the allegations made, as

expeditiously as possible, preferably within a period of two weeks from the date of receipt of this order. No costs.

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06.04.2005

Note : Furnish C.C., by tomorrow.

(B/O)

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To

1 The Secretary, Enumulapalli Gram Panchayat,
Puttaparthi Mandal, Anantapur District.
2 The District Panchayat Officer, Anatapur District, Anantapur.
3 The Vice Chairman, Satya Sai Urban Development Authority,
Enummulapalli, Puttaparti Mandal, Anantapur District.
4 The Station House Officer, Puttaparthi Urban Police Station,
Puttaparthi, Anantapur District.
5 Two C.Cs to the G.P. for Panchayat Raj and Rural
Development, High Court Buildings, Hyderabad (OUT).

6 Two C.Cs to the G.P. for Home, High Court Buildings,
Hyderabad (OUT).

7 2 CD copies.